



MINUTES
CITY OF NORCO
CITY COUNCIL

December 4, 2013

City Council Chambers
2820 Clark Avenue, Norco, CA 92860

Berwin Hanna, Mayor
Herb Higgins, Mayor Pro Tem
Kathy Azevedo, Council Member
Kevin Bash, Council Member
Greg Newton, Council Member

CALL TO ORDER: Mayor Azevedo called the meeting to order at 6:05 p.m.

ROLL CALL: Mayor Kathy Azevedo, **Present**
Mayor Pro Tem Berwin Hanna, **Present**
Council Member Kevin Bash, **Present**
Council Member Herb Higgins, **Present**
Council Member Greg Newton, **Present**

THE CITY COUNCIL WILL RECESS TO CLOSED SESSION (SECTION 54954) TO CONSIDER MATTERS:

Section 54957(b)(4) – Evaluation of Performance

City Attorney

RECONVENE PUBLIC SESSION: Mayor Azevedo reconvened the meeting at 7:05 p.m.

REPORT OF ACTION(S) TAKEN IN CLOSED SESSION (§54957.1): Mayor Azevedo stated that there was a performance review completed for the City Attorney and she noted that this will be completed annually in the future.

PLEDGE OF ALLEGIANCE: Council Member Bash

INVOCATION: Grace Fellowship Church
Pastor Vernie Fletcher

PRESENTATIONS:

The committee that put on the USO kick-off fundraising event for the George Ingalls Veterans Memorial Plaza presented the City with a check in the amount of \$31,025.39.

South Coast Air Quality Management District
Wood Stove & Fireplace Change-Out Incentive
Program

Tracy Goss and Todd Warden were present representing the South Coast AQMD and presented information regarding the Program. Ruthanne Taylor Berge, representing WRCOG, was also present.

REORGANIZATION OF CITY COUNCIL:

A. Election of Mayor

M/S Azevedo/Higgins to elect Berwin Hanna as Mayor. The motion was carried by the following roll call vote:

**AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE**

Mayor Hanna presented Council Member Azevedo with a plaque and thanked her for her service to the City. He cited several City Council accomplishments that took place during her Mayoral term.

B. Election of Mayor Pro Tem

M/S Hanna/Bash to elect Herb Higgins as Mayor Pro Tem. The motion was carried by the following roll call vote:

**AYES: AZEVEDO, BASH, HANNA, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: HIGGINS**

CITY COUNCIL BUSINESS ITEMS AS FOLLOWS:

1. A. SILVERLAKES EQUESTRIAN & SPORTS PARK UPDATE:

R.J. Brandes, representing Balboa Management Group, LLC, provided an update regarding the Silverlakes Equestrian & Sports Park. He stated that he was hoping that he would have the commitment tonight from the bank, but the bank did speak with City Manager Okoro noting that the loan was approved. He believes that the only thing holding it up was the approval from the bank board of directors, noting that they do not believe there will be any problem. His intent is to begin mobilizing all the different parties involved sometime in the next month to start back the construction job (next 30 – 45 days) and open from six to nine months. He further stated that the Grand opening will be held sometime in January of 2015. He concluded that he believes that 2014 is the year of Silverlakes.

In response to questions from the City Council, Mr. Brandes stated that he should have the financing confirmed in the next four to five days. City Manager Okoro confirmed this response following his conversation with the President of the bank today. Mr. Brandes further stated that they want to build the property and make it a success. He also noted that the trails are in place and some of the aspects of the parking for trailers should be in place. He added that the phasing will be a continuous project.

B. CITY COUNCIL COMMUNICATIONS / REPORTS ON REGIONAL BOARDS AND COMMISSIONS:

Council Member Bash:

- Reported on the Riverside Conservation Authority meeting he attended. Noted that there is a lot going on at this time.
- Stated that he is going to be appointed to help chose the new Chancellor for Riverside Community College.
- Commented on the December 7th Norco Pearl Harbor event, noting that the theme is "Passing the Torch."

Mayor Hanna:

- Commented on the ground breaking ceremony for the 91 Freeway expansion project to be held on December 11th.
- Reported on the Northwest Mosquito Abatement District Board he is on, noting that they just purchased two new vehicles from Hemborg Ford.
- Recognized the Animal Control Division and the Norco Sheriff's Department for its assistance with the NART rescue and the arrests made regarding the cock fighting.

Council Member Azevedo:

- Reminded everyone to attend the December 7th Parade of Lights and Winter Festival events which begin at 2 p.m. with the parade beginning at 5 p.m.

2. CITY COUNCIL CONSENT ITEMS:

M/S Bash/Higgins to adopt the items as recommended on the City Council Consent Calendar. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: NEWTON ON ITEM 2.A.

- A. City Council Minutes:
Regular Meeting of November 20, 2013
Recommended Action: **Approve the City Council Minutes** (City Clerk)
NEWTON ABSTAINED
- B. Procedural Step to Approve Ordinance after Reading of Title Only.
Recommended Action: Approval (City Clerk)

- C. Approval of the Annual Reports for Community Facilities Districts 2001-1 and 2002-1 for the Fiscal Year Ended June 30, 2013. **Recommended Action: Receive and file.** (City Manager)
- 3. ITEM(S) PULLED FROM CITY COUNCIL CONSENT CALENDAR:
- 4. CITY COUNCIL DISCUSSION / ACTION ITEMS:
 - A. Discussion Regarding the Corona-Norco Unified School District Consideration of Trustee Area Scenarios and Election Method Change.

City Manager Okoro presented information regarding this item, noting that he spoke with Superintendent Michael H. Lin from the Corona-Norco Unified School District (CNUSD) regarding the process and he graciously sent two representatives in order to provide information and answer any questions. A representative from the Dolinka Group and Evita Gonzolez, CNUSD Communications Manager, were present to answer any questions and provide additional information. CNUSD will be meeting on December 10, 2013 to pick one of the scenarios to adopt to become effective by the November 2014 election.

The Council Members commented positively regarding Scenario 1A.

Council Member Azevedo recommended that the Council support herself and Council Member Bash, who will both be attending the CNUSD Board meeting, in recommending Trustee Area Scenario 1A.

M/S Azevedo/Bash to formally recommend Trustee Area Scenario 1A to the Corona-Norco Unified School District School Board. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

- B. Discussion Regarding Refuse Collection and Disposal Services.

City Manager Okoro presented information as provided in the staff report, noting that this is a follow-up item from the last City Council meeting. He stated that in an effort to continue services in Norco, staff has met with Waste Management, adding that the staff report was written based on communications with Waste Management to that date. He further stated that a letter was received from Waste Management today stating that they will extend the contract and terms of the existing franchise agreement for an additional six (6) months with the following exception: allow for the annual CPI and disposal adjustment increase, retroactive back to July 1, 2013 pursuant to Section 18 of the franchise agreement. City Manager Okoro stated that if the City Council agrees to this, a resolution would be brought back to the Council for approval. He added that staff is committed to fulfilling the direction given in regards to the RFP process.

City Attorney Harper stated that if the ad-hoc committee approach is taken, it will be subject to the Brown Act.

Mayor Pro Tem Higgins stated that he liked the ad-hoc committee idea.

Council Member Newton commented that he is glad to see that Waste Management is working with the option to complete an RFP. He asked about the RFP process and if the City would be tied to the lowest bid. He further questioned if it can be structured so that the lowest responsible bid would be accepted. In response, City Attorney Harper stated that there is no legal obligation to select a proposal based solely on what the cost is, unless it is bid that way. Council Member Newton noted that he believes that staff is capable of completing the RFP and a consultant could be used to refine it. He further asked if the RFP could include the requirement that the disposal landfill fees stay in Riverside County. In response, City Attorney Harper stated the RFP could require that each bidder indicate their disposal location and that the City could consider the impacts of the location in analyzing the proposals.

Council Member Azevedo asked Julie Reyes, Public Sector Services Manager for Waste Management, about the ad-hoc committee and asked if the franchise fee and rates could still be discussed. In response, Ms. Reyes stated that there needs to be a lot more transparency to the community and there is room for this discussion. She added that her thought is that we go through this as a team.

City Attorney Harper stated that there will be another Prop 218 hearing following this process.

Julie Reyes, Public Sector Services Manager for Waste Management, confirmed that the trash will be picked up on January 1st.

M/S Azevedo/Higgins to go with an ad-hoc committee option to attempt to negotiate a new contract. Higgins withdrew his second to the motion.

Under Discussion:

Council Member Bash stated that people need to understand what a franchise fee is, noting how important the franchise fees are to the City.

Mayor Pro Tem Higgins commented on his issue regarding the transparency of the entire document and how it affected the residents and also how it was presented.

Council Member Newton asked for clarity on the motion, noting the short time left for the option of an RFP.

Julie Reyes, Public Sector Services Manager for Waste Management, stated that she concurs with what is being said, noting their concerns with the timeline. She stated that they are ready to sit down next week.

City Manager Okoro commented on the timeline for the RFP process, noting that 180 days is the minimum number of days necessary for this process, including the mobilization process, adding that this would require transparency.

Substitute M/S Azevedo/Higgins to go with the ad-hoc committee option and begin the RFP process. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS
NOES: NEWTON
ABSENT: NONE
ABSTAIN: NONE

M/S Azevedo/Higgins that the appointments to an ad-hoc committee and a resolution implementing the Waste Management proposal regarding the contract extension be brought back for formal approval by the City Council. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

RECESS: Mayor Hanna recessed the meeting at 9:00 p.m.

RECONVENE: Mayor Hanna reconvened the meeting at 9:07 p.m.

5. CITY COUNCIL PUBLIC HEARING:

- A. Zone Code Amendment 2013-16 (City):** A request to amend Title 18 (Zoning) of the Norco Municipal Code regarding the definitions and/or regulations for second units, emergency shelters, transitional housing, and supportive housing in accordance with State Government Code requirements.

Zone Code Amendment 2013-16 and Code Change 2013-05 (Item 5.B.) are the final implementation measures of the 2008-2014 Housing Element Update that was certified by the state last year with certain conditions that needed to be met before the next update could be certified. The 2014-2021 update has been approved by the City and the City has received a pre-certification letter from the Department of Housing and Community Development (HCD) pending finalization of the follow-up measures from the 2008-2014 document.

Recommended Action: Adopt Ordinance No. 969 for first reading.
(Planning Director)

Planning Director King stated that the public hearing has been cancelled.

- B. **Code Change 2013-05 (City):** Code Change 2013-05 (City of Norco): Adding Section 9.95 "Reasonable Accommodations" to the Norco Municipal Code.

Code Change 2013-05 is a requirement of state and federal fair housing laws to make reasonable accommodations for the development of housing for persons with disabilities. Reasonable accommodations are minor deviations to requirements of the Norco Municipal Code (NMC) and the intent is to reduce the procedural requirements that can be constraints to the development of housing for this group of people. All jurisdictions in the state are required to comply with the regulations.

Recommended Action: Adopt Ordinance No. 970 for first reading.
(Planning Director)

Planning Director King stated that the public hearing has been cancelled.

6. PUBLIC COMMENTS OR QUESTIONS:

Karen Leonard. Ms. Leonard commented on the Mayor and Mayor Pro Tem selection portion of the agenda, noting that she does not agree with the decision, adding that the decision was not made based on ethical decisions made in the past.

Glen Hedges. Mr. Hedges commented that he misses the City Newsletter that was on the website in the past and requested that it be brought back.

Lance Gregory. Mr. Gregory thanked staff for resolving issues quickly. He further thanked the Sheriff's Department for taking care of the homeless and pan handling problem. He asked the Council to reconsider a traffic officer when money allows. Mr. Gregory stated that he would like to see Council send copy of Resolution No. 2005-09 to commission members regarding the code of ethics, noting disrespect shown to staff and fellow commission members. He asked that respect be shown to those who speak at the podium at Council meetings. Lastly, he would like to see the "great wall" next to the freeway painted.

Ronald Mugar. Mr. Mugar commented in regards to an issue he has at his residence with the water being shut off. He noted that the water bill has been paid every month and he has completed the required City application. He stated that he has provided proof that he does live at the residence and the water remains shut off.

Don Bowker. Mr. Bowker commented on the City Council installation meeting held, noting the comments made by Council Member Azevedo regarding Norco's 50th Birthday and its lifestyle, adding that the City commission members should all be reviewed to find out if they are in support of the Norco lifestyle or removed.

Roy Hungerford. Mr. Hungerford noted that Tony Mauro needs to be removed from the Streets, Trails and Utilities Commission immediately; noting his comments at the meetings and how he insulted staff and other fellow commission members. He added that all commission members should be reviewed.

7. CITY COUNCIL / CITY MANAGER / STAFF COMMUNICATIONS:

M/S Bash/Higgins to agendize a discussion on the City trails and review the existing Code. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

M/S Bash/Higgins to agendize a discussion regarding the City's Water Master Plan. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

M/S Bash/Azevedo to remove Tony Mauro and Dave Henderson from their respective commissions; and, review the attendance records of all of the City commission members. The motion was carried by the following roll call vote:

AYES: AZEVEDO, BASH, HANNA, HIGGINS, NEWTON
NOES: NONE
ABSENT: NONE
ABSTAIN: NONE

Lt. Hedge commented on several grants that the Sheriff's Department has received from the California Office of Traffic Safety, noting the latest \$80,000 grant received to be used for an anti-DUI program aimed at preventing deaths and injuries on Norco roadways. The other grant is for \$85,000 which will fund additional deputy's hour wage for traffic programs.

8. **ADJOURNMENT:** There being no further business to come before the City Council, Mayor Hanna adjourned the meeting at 9:33 p.m.

BRENDA K. JACOBS, CMC
CITY CLERK